

# **Rule 1. Election Procedure**

## **1.1 Elections Committee**

### **1.1.1 Composition and Appointment**

The Elections Committee shall be a standing committee of Council. The Committee shall be comprised of five members. The chair of the Committee is referred to as the Chief Returning Officer. Members shall serve on the Committee for the term in which they are appointed.

At the start of each Fall term, Council shall appoint the Elections Committee as soon as possible. In other terms, Council need not appoint the Committee unless a by-election is required; if a by-election is required, then Council shall appoint the Committee as soon as possible.

Prior to the appointment of the Committee during a term, if urgency demands it, the President may exercise the powers of the Committee in a way consistent with its duties.

### **1.1.2 Duties**

The Elections Committee is responsible for running the Society's Council elections. This includes, but is not limited to:

- Setting the dates of the various phases of elections
- Advertising elections to the members of the Society
- Verifying the validity of each nomination
- Arranging the voting system of the election
- Making judgments regarding any disputes over or violations of the election procedure, and imposing penalties for violations
- Providing a report to Council at the conclusion of each election
- Recommending amendments to the elections procedure

The Elections Committee shall make its decisions in fairly and impartially.

### **1.1.3 Power**

The Elections Committee has the power necessary to conduct the elections within the bounds of the procedure as approved by Council, except that its power to authorize expenditures is limited to \$750 for each general election, \$150 for each by-election, and \$150 for the First-Year elections at the start of each Fall term.

The Elections Committee has the power to hold elections and by-elections when required absent any particular approval from Council.

### **1.1.4 Conflicts of Interest**

If a member of the Elections Committee is standing as, or intends to stand as, candidate for election to Council, then that member shall be excluded from proceedings of the committee that is specifically related to them or to the election for any of the seats for which they are running. In particular, that member shall not have a vote, or a right to speak or to be present when such matters are discussed. Additionally, with regards specifically to the election to those or seats, the member shall exercise no powers as a member of the Committee.

If more than two members of the Committee are standing as, or intend to stand as, candidate for the same seat, this matter shall be reported to Council as soon as possible by the Committee or by any member thereof.

## **1.2 Election Schedule**

An election shall consist of three phases:

- The nomination period, which shall be between 5 and 10 business days;
- The campaigning period, which shall be between 5 and 10 business days, 1 to 3 business days of which shall overlap with the nomination period; and
- The voting period, which shall be the 2 business days immediately following the campaigning period.

The Elections Committee or Council shall set the entire schedule of an election before it begins, and the Committee shall advertise the dates.

## **1.3 Nominations**

### **1.3.1 Contents**

All candidates for election must submit nominations to eligible for election. A nomination shall set out the following:

- The name, userid, and contact information of the nominee;
- A signed statement of the nominee agreeing to follow the elections procedure;
- The seat and term for which the nominee is being nominated;
- The names and userids of a number of Society members endorsing the nomination, each of whom is eligible to vote in the election to that seat; and
- The signatures of each endorsee.

Five members shall be required to endorse a nomination for a Representative seat, and ten members shall be required. No member of the Elections Committee shall endorse a nomination, and no one shall endorse their own nomination.

Multiple nominations may be combined and submitted simultaneously.

Notwithstanding the above, a First Year student may replace up to two endorsement signatures from members who can vote in the constituency for which they are being nominated with the signatures of twice that many members who can vote in the First Year constituency.

### **1.3.2 Submission**

A nomination shall be submitted either directly to a member of the Elections Committee or to the Society office. If no member of the Elections Committee is present when a nomination is submitted to the office, an office worker shall note the date and time of the submission on the nomination, sign it, place the nomination in an envelope, and ensure that the envelope is delivered to the Elections Committee.

### **1.3.3 Publication**

As soon as a nomination is received by a member of the Elections Committee, that member shall immediately inform every other member of the Committee as well as every other candidate for that same seat and term. The new nominee shall be informed of every other candidate as well.

Once a nomination's validity has been verified, the Elections Committee shall make the nomination public. If a nomination is deemed invalid, then the Elections Committee shall immediately inform the nominee as well as every candidate for that seat. 24 hours after the close of nominations and once all nominations have been verified, the Elections Committee shall indicate that all nominations are final and indicate any acclamations.

The names of those endorsing a nomination shall not be published by any party, but the nomination forms shall be open to inspection by appointment with a member of the Elections Committee until the approval of the election results.

### **1.3.4 Verification**

The Elections Committee shall as soon as possible verify the validity of each nomination, including the eligibility of the candidate and the validity of each of the endorsements. If a nomination is deemed invalid due to issues with the endorsements, then the Elections Committee may give the nominee an additional business day after the close of the nomination period to secure sufficient endorsements.

### **1.3.5 Withdrawal**

A nomination may be voluntarily withdrawn by a candidate at any time prior to the beginning of the voting period by written submission directly to a member of the Elections Committee. Endorsements of a nomination cannot be withdrawn.

### **1.3.6 Multiple Nominations**

A candidate may submit multiple nominations when there are elections for more than one seat occurring. If a candidate is nominated for more than one Executive position and/or more than one Representative position for the same term, then the candidate shall, within 24 hours of the close of the nomination period, withdraw sufficient nominations to bring the candidate into line with the requirements. If the candidate fails to do so, then at that time, their nominations shall be deemed withdrawn except, for each term, the first nomination for an Executive seat and the first nomination for a Representative seat in the order that the Executives and constituencies, respectively, are listed in the bylaws.

### **1.3.7 Acclamation**

If, 24 hours after the close of nominations, there are no more candidates than seats available in any single election, then all candidates shall be acclaimed and no vote shall be held for that position. The candidates are still required to adhere to the remainder of the procedure, in particular to submit an expense report.

## **1.4 Campaigning**

### **1.4.1 Basic Requirements**

No candidate shall campaign unless

- It is during the campaigning period;
- Their nomination has been received by a member of the Elections Committee; and
- They have reviewed the rules of the campaign with an Elections Committee member.

### **1.4.2 Spending Limits**

A candidate is limited to spending \$75 on campaign materials for an Executive election and \$40 on campaign materials for a Representative election. If a candidate is running for both an Executive and a Representative seat, then expenses shall be counted against both campaigns unless they are clearly associated with a specific campaign.

If a candidate spends any money on their campaign, they shall provide the Elections Committee with a complete account of all campaign expenses by the end of the voting period. A candidate shall be reimbursed for the full cost of their expenses provided that they provide receipts or other evidence of the costs, in accordance with the normal financial procedures of the Society.

Campaigning materials acquired for free or at a price unavailable to other candidates shall be reported at a fair market value and shall count towards the expenses limit at that value. Materials acquired at a reduced price where that reduced price is, or would have been, available to all candidates may be accounted for at the reduced price, if the candidate can produce documentation.

### **1.4.3 Campaigning Rules**

When campaigning, candidates shall adhere to all policies of the University and campaign with high moral standards. Candidates shall take care to ensure that their methods of campaigning are not offensive or overly annoying.

Posters and other signage shall be limited to the buildings operated by the Faculty or by St. Jerome's University. In accordance with University Policy 2, a stamp shall be provided in the Society office for use by candidates, and candidates are responsible for complying with rules set by Plant Operations.

Campaigning shall be generally permitted to occur without prior approval of the Elections Committee. Campaign materials should indicate contact information for the Elections Committee in the event of a complaint.

No person shall remove a candidate's campaign material prior to the close of the election except under authorization of the candidate or the Elections Committee, unless such material violates University policy or law.

#### **1.4.4 Voting Period**

During the voting period, no one shall actively campaign for the election of any specific candidate. Material posted or distributed prior to the voting period may remain posted during the voting period. At the conclusion of the voting period, it is a candidate's responsibility to clean up after their campaign.

During the voting period, a candidate is allowed to answer questions that require a response that might otherwise be considered campaigning.

#### **1.4.5 Encouragement to Vote**

Encouraging eligible voters to vote, without supporting or denouncing a specific candidate or candidates, is not considered campaigning and may be done freely by any party, including a candidate, throughout the entirety of the election, including the voting period.

The Elections Committee may, within the limits of its own spending authorizations, authorize the reimbursement of any party for any expenses incurred in the process of encouraging voters to vote.

### **1.5 Voting**

#### **1.5.1 Means of Voting**

Voting shall be conducted by an electronic poll on the Society's website. Voting shall be by means of preferential ballot, in which the voter ranks some or all of the candidates. If permitted by the voting software, a candidate may rank some candidates equally. The candidates shall be listed in random order for each voter.

Each voter shall be permitted to vote in each Executive election, and in one Representative election. If a voter is in multiple constituencies, then the voter must select one in which to cast their vote.

During a general election, a voter shall cast a single ballot which shall be counted simultaneously for each term of the upcoming year. The terms for which each candidate is running shall be listed.

The vote shall be secret.

#### **1.5.2 Office**

During the voting period, the election shall be prominently advertised in the Society office, and one computer in the office shall be reserved exclusively for voting. Instructions shall be made clearly available, and office staff shall be instructed on how to help members cast their votes.

#### **1.5.3 Candidate Information**

The Elections Committee shall post to the Society website a brief summary of each candidate, including a short statement solicited from that candidate. The Committee shall ensure that this

information is made available to voters when they cast their votes.

#### **1.5.4 Scrutineers**

Each candidate can appoint one scrutineer to verify and monitor the voting platform. The scrutineer shall have read-only access to the voting platform throughout the voting period, but not to the database of votes cast.

#### **1.5.5 Tiebreaker**

The Elections Committee shall appoint a tiebreaker for each election, who must be eligible to vote in that election. The tiebreaker shall not cast a normal vote in that election but instead shall seal and date a strict ranking of all candidates in an envelope prior to the beginning of the voting period. The envelope shall be kept in the custody of a member of the Elections Committee other than the tiebreaker. In the event of a tie, the envelope shall be opened and the ranking within used to break the tie. The envelope shall not otherwise be opened.

#### **1.5.6 Resolution**

The elections shall be resolved through the Schulze STV Method, as described by Martin Schulze in the 2011 paper *Free Riding and Vote Management under Proportional Representation by the Single Transferable Vote*. The Schulze STV Method generates an ordered ranking of all possible sets of candidates of size equal to the number of available seats. For each term, the highest set in the ranking containing only candidates eligible for that term shall be the winning set; in the event of multiple such sets, if any are disqualified (per the definition in the paper) by other such sets ranked equally, then they shall be discarded. If there are still multiple sets remaining, then the winning set shall be selected by use of the tiebreaking vote; the sets shall be ordered by the tiebreaking vote, and then the first set in lexicographic order under the tiebreaking vote shall be the winning set.

#### **1.5.7 Publication**

The Elections Committee shall, as soon as the election is completed, publish the results of the election, and a listing of the ballots received with sufficient information as to allow for independent verification of the results.

### **1.6 Violations**

#### **1.6.1 Rules**

No candidate shall violate the election rules, or knowingly allow another to do so. A candidate who fails to report a violation of the rules may be held personally responsible for the violation.

No candidate shall act in bad faith in any manner concerning the election.

### **1.6.2 During Election**

Disputes during the election shall be resolved by the Elections Committee at its discretion. Complaints are to be submitted in writing to any member of the Committee, and need not come from a candidate. The Elections Committee may also take up violations of its own initiative. For violation of the rules, the Elections Committee may impose a reduction of spending limit, order removal of campaign material, limit a candidate's means of campaigning, or impose other penalties as it sees fit, except that it may disqualify candidates only when so authorized.

A candidate who overspends or fails to submit an expense report shall be disqualified by the Elections Committee. If the Elections Committee believes that a candidate should be disqualified for any other reason, then they shall report the recommendation to Council, and Council can impose the disqualification. The Elections Committee may impose an alternate penalty to apply until Council makes its decision and/or if Council chooses not to disqualify the candidate.

### **1.6.3 Publication**

When the Elections Committee imposes a penalty, they shall inform the penalized member of the decision and the reasons therefor. They shall publish the penalty and a brief summary of the reasoning to the Society website, taking care as not to prejudice voters. Additionally, when a penalty is imposed on a candidate, every other candidate for the same seat or seats shall be personally informed with a brief summary of the penalty.

When the Elections Committee chooses to recommend a disqualification, it shall inform the candidate, but shall not inform other candidates nor publish the recommendation until it is reported to Council.

### **1.6.4 After Election**

If a candidate feels that he or she has been unfairly treated by the Elections Committee, or has an issue to raise after the voting period, then the complaint shall be submitted in writing to the President up to two business days after the voting period. The President shall raise each such complaint at the next meeting of Council for Council to decide upon prior to ratifying the election results.

## **1.7 Ratification**

The Elections Committee shall report to Council the outcome of each election for ratification. If Council finds that there has been an irregularity in the election, it may invalidate the election, in whole or in part, and require that it be held again from any point. Otherwise, the election results as approved by Council are final.

In the event that Council is unable to meet to receive the Elections Committee's report, then the Executive Board may receive the report as well as any appeals received by the President and act on it them in Council's stead.

## **1.8 Referendum Procedure**

Except as noted in this section, a referendum shall be governed by the same rules as an election, *mutatis mutandis*.

### **1.8.1 Petitions**

When a petition for a referendum is received, it shall be verified by the Elections Committee, which Council shall appoint if necessary. If the petition is determined to be invalid, the Elections Committee shall return it to the submitter with an explanation of why it was deemed invalid.

A petition for a referendum on a nonsensical or useless resolution shall not be accepted. If a petition contains multiple resolutions, some of which are nonsensical or useless, the petition shall still be accepted for the remaining resolution or resolutions.

### **1.8.2 Schedule**

When a referendum is to be held, the Elections Committee or Council shall set the schedule. It shall consist of a campaigning period of at least 5 days, and a voting period of 2 days.

### **1.8.3 Campaigning Committees**

For each referendum, there shall be a For Committee and an Against Committee. Any campaigning that would count against a candidate's expenses limit in an election may be performed only by members of the appropriate committee, as approved by that committee. A quorum of a campaigning committee is those members in attendance.

Any voting member, except a member of the Elections Committee, may join or resign from one of the campaigning committees by submission to a member of the Elections Committee. Their change in membership is effective as soon as it is confirmed by a member of the Committee. No one may be a member of both campaign committees for a referendum. The Elections Committee shall keep a public and current list of members of the campaign committees, and inform all members of a campaign committee as soon as that committee's membership changes.

No member of a campaign committee shall engage in any form of campaigning contrary to the established opinion, for or against, of that committee. Members of a campaigning committee shall generally be under the same rules as candidates in an election.

The Elections Committee may call meetings of the campaigning committees, if necessary.

### **1.8.4 Expenses Limit**

The expenses by the members of each committee shall total no more than \$100. The individual members of the committee shall be reimbursed for their expenses.

### **1.8.5 Withholding of Vote**

The Elections Committee may impose as a punishment the withholding of a member's vote. In such a case, the member shall be permitted to submit a physical vote, which shall be kept sealed unless the punishment is lifted, in which case it shall be opened and the vote counted. If it is not used, the vote shall be destroyed.